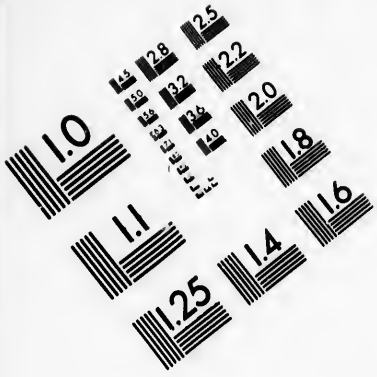

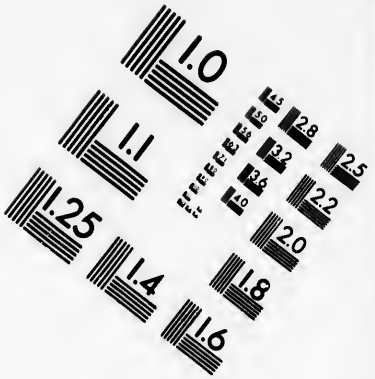

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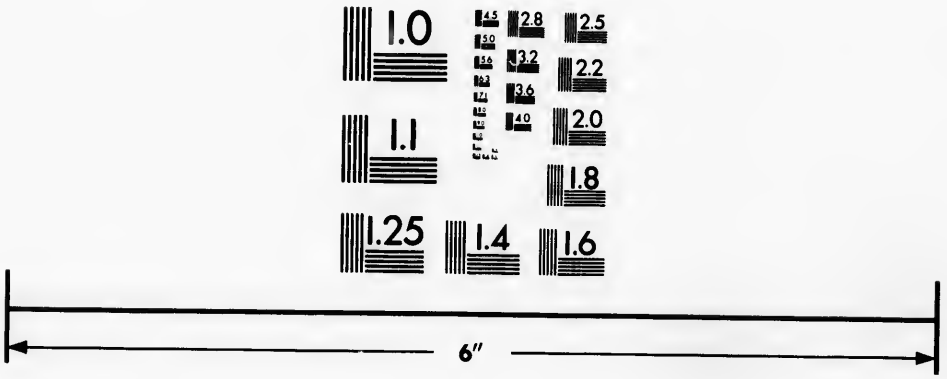

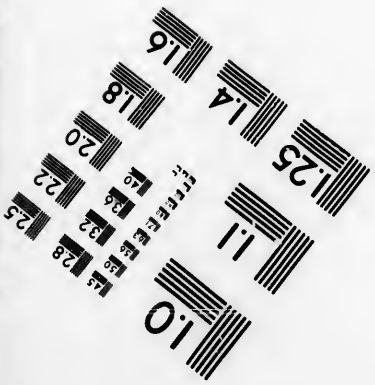

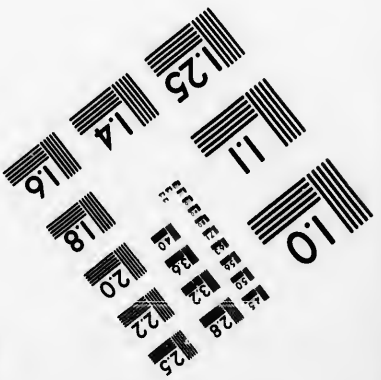

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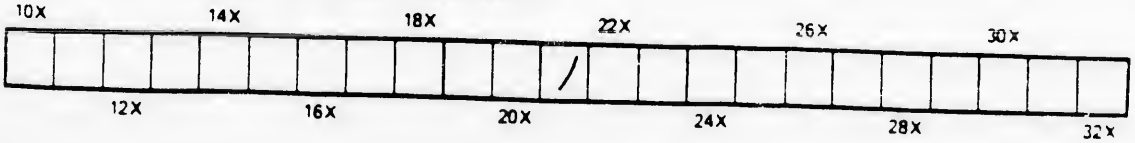

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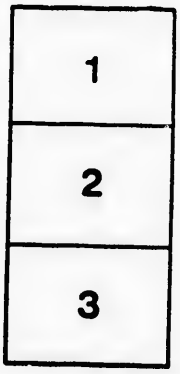

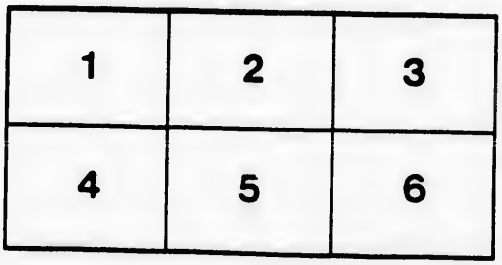

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"OUGHT WE TO HAVE A PROHIBITORY LIQUOR LAW?"

LECTURE

DELIVERED IN THE

SONS OF TEMPERANCE HALL,

OWEN SOUND, MARCH 14, 1873,

—BY—

REV. KENNEDY CREIGHTON.

Published at the Request of the Division.

OWEN SOUND:
JNO. RUTHERFORD, GENERAL BOOK & JOB PRINTER.
1873.

OUGHT WE TO HAVE A PROHIBITORY LIQUOR LAW?

THE general conviction on the minds of many who wish well to the cause of sobriety—a conviction gathering strength from the experience of the past—is, that if we would be delivered speedily from the long train of evils connected with Intemperance, the strong arm of the law must interfere, to protect us from what I am safe in calling, the greatest curse that afflicts humanity. We must demand of our Legislature that they will abate a proved and public nuisance; that they will assist in putting down what is itself a national crime, and the source of innumerable other crimes and calamities; and that Government shall cease to give protection and encouragement to those who are now preying upon the vitals of the social system, upon the terms of receiving a share of the plunder in the form of revenue.

We are met, at the outset, by some well-intentioned persons, who say: "We are opposed to everything but *moral suasion*, in this work, and have full faith in its efficacy." There can be no doubt that on the principle of voluntary association and individual effort to promote Temperance, immense results have been accomplished. Thousands of drunkards have been snatched from the very brink of the pit. From many a desolated home the demon has been expelled; while peace, plenty, and happiness spread a joyous influence over the domestic circle. Tens of thousands have been kept, by prevention, from the grasp of the malignant fiend. Nor does my position imply that personal and combined effort, in the way of moral suasion, shall cease. We will go all lengths with the objector in appealing to men's moral sentiments—to their sense of right and wrong. We will reason with, warn, and pray for those who have fallen into the snare. But we feel bound, besides this, to do our best to outlaw a great and acknowledged wrong, and to shield society from one of the most infernal systems that has ever wrung the heart-strings, debauched the morals, killed the bodies, or blighted the souls of our fellowmen. I will tell you why I think this is necessary to our success:

The Drunkard is usually weak in Moral Principle. He was not always so. There was a time when his domestic affections were pure and ardent; and when, in his intercourse with his fellows, his word was as good as his bond. It is not so now. That delicate perception of right and wrong, and that high sense of honor which once characterized him, have been destroyed by evil habit—or, at least, what is left of them is no match for the burning thirst that is consuming him. The vitiated appetite of the drunkard is stronger than the sense of right; stronger than a regard for health, or desire for happiness; stronger than the feeling of self-respect; stronger than all the laws of God and man; stronger even than the fear of future wrath. Jeremiah declares such a habit to be as indelible as the spots of the leopard, or the dark hue of the Ethiopian. How many of earth's brightest sons have sunk down, under its thrall, into irretrievable ruin! How many,

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loathing their sin, have yet confessed its resistless mastery, and have gone to the grave, suffering beforehand the torments of the lost! Now, you may attack that appetite with logic, passion, love, heaven, hell—and to what does it amount? The subject of it grants you all you ask, and assents to all you say—but the appetite is not overcome or relinquished.

Take the following as an illustration, from the *London Quarterly Review*:—"Some years since, there was a pamphlet published in England, entitled 'Confessions of a Drunkard.' The statements in it are asserted on good authority to be authentic; and what does the writer say? 'Of my condition there is no hope that it should ever change; the waters have gone over me: but out of the black depths, could I be heard, I would cry out to all those who have set foot in the perilous flood. Could the youth to whom the flavor of his first wine is delicious as the opening scenes of life, or entering upon some newly discovered paradise, look into desolation, and be made to understand what a dreary thing it is when a man shall feel himself going down a precipice, with open eyes and a passive will; to see his destruction, and have no power to stop it, and yet to feel it all the way emanating from himself; to perceive all goodness emptied out of him, and yet not to be able to forget a time when it was otherwise; to bear about the piteous spectacle of his own self-ruin; could he see my fevered eyes—fevered with the last night's repetition of the folly, to be repeated again to-night; could he feel the body of the death out of which I cry hourly, with a feeble outcry to be delivered, it were enough to make him dash the sparkling beverage to the earth in all the pride of its mantling temptation.'" Now, what will argument or persuasion accomplish for such a man? It falls as powerless upon him as the pelting hail upon a rock.

But suppose the drunkard is not lost to all right feeling, when every tenth or twelfth house is a liquor shop, what hope is there for his escape? Many a poor fellow, waking from his drunken lethargy, has resolved to make a struggle for his life. He sees the wretchedness of his family, and the woes he has been inflicting upon them. A glance at the past seems like looking back on the track of a tornado. Everything fair has been blighted; everything pure and lofty has been shattered and thrown down, and desolation broods over the ruins of all that was lovely and of good report. He looks onward, and sees nothing before him but a thickening gloom—anguish and death, and anguish after death! Writhing under the lashes of self-reproach and remorse, he vows that he will touch the accursed thing no more. Perhaps he connects himself with some Temperance organization, and thus publicly takes his stand. For a time he masters his longing for liquor, and the smile of returning hope begins to light up the sad countenances of those who love him. He can hardly, however, leave his own door without being assailed by powerful temptation. A legalized tippling-house pollutes every street-corner. The clink of the glasses and the hilarious laugh of the inmates strike his ear. The fumes of brandy are wafted to him as he passes. The demon is roused within him, and his very soul is rent with contending passions. His little sorrow-stricken children seem to rise before his vision; and the wan, worn face of the wife he still loves seems to plead with him. If a young man—he thinks of how parents', brothers', and sisters' hopes will be blasted, and their hearts crushed, should he be again ensnared. He struggles, perhaps he prays, in agony untold. But the relentless grasp of a fiend is upon him, and he struggles in vain! He enters the slaughter-house of souls. Once more the glass is at his lips. Once more he goes reeling home, putting a final extinguisher on the opening

anticipations of those whose destiny is bound up in his, and piercing their hearts as with a dagger. He might have conquered with fair play and an open field; but his feet were caught in the net which the law had spread in his path. The maddening poison that has perhaps sealed his fate in the present life, and for all eternity, was sold to him under the sanction of legal authority. Now, we want the Legislature to withdraw this sanction, and to say to every citizen in the Dominion: "*You shall not put a stumbling-block in your brother's way.*" Who will tell me that is an unreasonable request?

Then again, "*Moral Suasion*" *fails to induce the dealer in alcoholic drinks to abandon his business.* Of this we have ample evidence in the number of establishments where drunkards are manufactured. There are *twenty* men at present duly authorized to carry on this evil work in Owen Sound, with, I suppose, a fair average who are aiding and abetting without authority. I am not going to say anything unnecessarily severe of liquor-sellers. Some would make short work here by saying, "All who can be reached through their moral sensibilities *have* been; and the class of men now engaged in the traffic are likely to continue at it, reckless of consequences." A distinguished living preacher says, "There are those engaged in the liquor business who would *sell* though the walls of their dark hiding places were reeking with the gore of the slain, and although clattering skeletons were evermore dancing through the gloom. They would *sell* though the lurid flames of eternal death peered through the crevices, and the groans of the damned shook the floor on which they stood." Perhaps he is right in regard to some of them; but I am quite sure there are many exceptions. I am persuaded there are generous-minded men, kind fathers, affectionate husbands, and obliging neighbors, employed in this miserable work—men who have consciences, too, whose reproving voices they cannot at all times silence—men whose lives are rendered uncomfortable by a fierce and frequent conflict with their better nature.

"Well, but," you say, "how do they manage to continue in such a calling?"

If conscience is not entirely satisfied, it is benumbed and quieted in this way:—"I am making money by the traffic—my capital is invested here—I have my family to support—no one need purchase my spirits unless he chooses, and it is not my business if he beggars or kills himself drinking—and if *I* don't sell, somebody else will."

The utter weakness of this logic is, in most cases, perceptible to the blunted moral sense of the man himself—especially when, at times, there arises before his mental vision an excited crowd of those whom he has injured beyond reparation, uttering charges against, and making demands of him which he would wish to shut out, but cannot.

One cries, "You have destroyed my husband. You have brutalized the man who once loved me, and made it the aim of his life to render me happy. You have metamorphosed the noble form which once, like a giant oak, held its protecting shade over the fragile vine that clung to it for support and shelter, into a drivelling sot."

Here a group of little ones are saying, "You have taken away our father, the one that was so kind to us, and that we used to so joyfully meet on his return from business, striving who could tell him first and most concerning the events of the day; and you have given us one on whose approach we all run away to hide—one who strikes mother, and takes the money she earns to the tavern, leaving us to suffer from hunger and cold."

Yonder gray-haired parents are asking, "What have you done

ur boy? H[illegible] pride of our hearts. He was once [illegible] and [illegible] oped to see him stand high among his [illegible], and to [illegible] his strong arm in our declining years. By what torpedo [illegible] you froze up his affections? By what fatal process have you seared his conscience, involved him in infamy, and thrown him out on the [illegible] of time, a useless or hurtful waif, and shadowed our pathway with a cloud that will hang over it until we enter the grave!"

Other startling questions are put on every side. He is confounded for a moment, but soon recovers himself, and exclaims:—

"I know nothing about your fathers, or husbands, or sons, or brothers; but, look here! here's my *license!* giving me full power to vend spirituous liquors." And, with proud defiance, he draws out his credentials, bearing the image and superscription of Cæsar—a written "indulgence" for all he has done or can do in this work of destruction. Thus he succeeds, perhaps, in silencing his own conscience, and tries to silence us by saying: "The business is both useful and respectable, otherwise it would not be shielded by the Aegis of the law, and have the whole artillery of the civil power ready to open in its defence." This is why moral suasion fails with the rumseller. And where reason, and conscience, and persuasion are set at naught, we would call in to our aid, the vigorous arm of *legal* suasion. Why not? If kind words and gentle means will not accomplish the work, or only in part, we must try something not so kind and gentle. When Nehemiah was Persian Governor of Judea, traders of different kinds brought their wares outside the walls of Jerusalem to sell to the people on the *Sabbath*. He bore with them for a time, but finally sent them this message: "If ye do so again, I will lay hands on you." So we want our rulers to say to the traders in alcohol, who are leading on the young and unwary to their ruin:—"*If ye do so again, we will lay hands on you;* for the second offence, we will stave your casks and pour your liquor on the ground; and for another, we will put you in prison until you repent."

Here we are met with the question: Have they a right to say that? Does this matter come within the legitimate province of civil enactments? These questions are fairly met when we say, the right to grant a license implies the right, for sufficient reason, to withhold it. That the traffic has always been regulated by law cannot be disputed. And if we go back about a century and a half, a statute of the British Parliament will show us in what light, those who were seriously concerned for the public welfare, regarded it, even at that early day. In the reigns of the 1st and 2nd Georges, the population of London were sunk in the most brutal degradation by gin-drinking. Smollet, in his history of these times, says: "Such a shameful degree of profligacy prevailed, that the retailers of this poisonous compound set up painted boards in public, inviting people to where they might get '*drunk for the small expense of a penny,* DEAD *drunk for two pence, and clean straw for nothing.*' They accordingly provided places littered with straw, to which they conveyed these intoxicated wretches who had become unable to help themselves. In these dismal caverns they lay until they recovered some use of their faculties, when they went back to their maddening potions, making these hideous receptacles of the most filthy vice resound with riot and blasphemy." The better-disposed part of the community became alarmed; and the Legislature determined to make a vigorous effort to restrain the evil. Accordingly, in 1736, a law was passed laying a duty of *twenty shillings* per gallon on spirituous liquors, and requiring fifty pounds sterling for a license to retail the article. This amounted almost to a prohibition, as the law

had assumed an attitude of decided opposition. Well would it have been for the nation, and for the world, if this approach to the right position had been followed up. Of course there was a good deal of smuggling and of illicit distillation. Strong remonstrances were poured in on the House by spirit merchants, traders with the sugar colonies, and others whose gains were imperilled. The historian says: "The Justices of the Peace, either from indolence or corruption, neglected to put the law in execution." And besides all this, a needy ministry, with a war on their hands, conceived the idea that the tide of evil to which I have referred above, and the traffic that produced it, might be made tributary to the funds of the Exchequer. (This absurdity seems to linger in the minds of some to the present.) It is not strange that, under these circumstances, "after the most obstinate dispute which had happened since the beginning of this Parliament," *(Smol.)*—a new Bill was introduced and carried, removing these heavy duties; but against which, I am glad to be able to mention the significant fact, *the whole bench of Bishops voted.* Among other things this reference will show that we are introducing no novelty, that the State has always assumed to act in the premises, and that, universally, the subject has been regarded as entirely within the range of legislation. The opponents of a prohibitory law cannot be permitted to shield themselves from a restrictive statute, by going back of all former precedents, and denying at this late hour what they never denied before, namely, the right of the Government to enact such a statute. It looks suspicious that it was not until prohibition became probable, that the traffic was considered by its friends as lying beyond the rightful province of the civil authority. Surely—

"No rogue e'er felt the halter draw,
With good opinion of the law."

A leading purpose for which government is established is to afford protection to the person and property of the governed; and in all good governments some of the abstract rights of the individual are surrendered, for the attainment of a general good. Hence a principle recognized by immemorial practice and universal consent is, that the law may and ought to interfere with any pursuit, trade or calling which is injurious to the health, morals or happiness of the community. No man of common sense will deny this. Suppose a company commences to erect a powder-mill near the centre of our town, the law steps in and says you cannot do that. You must build your manufactory in some place where the lives and property of the citizens will not be endangered. If a man opens a large lottery establishment and gambling-hell in our midst, the law breaks it up and spreads its interdict over the premises. An institution for the publication of blasphemous books and obscene pictures is started: legislation takes hold of the proprietor and tells him, the tendency of your business is to corrupt and debase the population, therefore it cannot be tolerated. The law says to the butcher, you must remove your slaughter-house to a situation where it will not annoy or injure the health of your neighbors and friends. The quarantine laws compel ships, crew and passengers, sailing from an infected port, to remain at Grosse Isle or Staten Island until the probability of spreading the contagion is over. The counterfeiter's tools are his own—perhaps he paid out his last dollar in procuring them; but a prohibitory law lays hold of them, orders them to be destroyed and himself imprisoned or banished. Within the "fire limits" of our larger cities, law will not allow a man to put up a *wooden* building on his own lot and with his own money, because it endangers his neighbor's property. Well, it is admitted that these are wise and beneficial regulations. But are

they not infringements of the abstract rights and privileges of individuals? Yes, it is answered, but the safety and well-being of the community demand such an interference. That is just my position. Governmental authority ought to remove, as nuisances, whatever is injurious to the public interest; and hence, *it ought not to patronize and nurture the grog-shop, the greatest nuisance of them all.*

Judged by its effects, this abominable traffic will be found to have a blacker character than is at all common in the annals of human wickedness. Diversity of opinion in regard to these evils is now out of the question. They are too numerous and momentous to be overlooked by any one, however careless and prejudiced. I turn the tables on the whiskey advocates and say,—no government has a right to license and protect that which has demoralized more young men, wasted more property, beggared more families, destroyed more health, blighted more hopes, crushed more hearts, filled more premature graves, and ruined more souls, than any other evil that is desolating our earth. Widowhood, orphanage, humanity, implore prohibition; how can the Legislature withhold the boon and be guiltless?

Rights, indeed! Who gave any one a right to drink what will dethrone reason and turn the man of mighty intellect into a fool;—nay, worse, make him the jibe and derision of fools? Who gave any one authority to spend his money for that which will keep his children in rags and ignorance, and allow them to grow up, candidates for the prison or the gallows? Has any one a right to use that which will entail the deepest misery on those who love him best, and turn his own last resting place into the dishonored grave of the drunkard? No man has a right to make himself a living, walking, withering curse to all who are connected with him. And no man has a right to follow a business that so frequently brings lasting injury upon those engaged in it, and that is most certainly scattering irreparable ruin around him. Nor can any license law confer upon him such a right, in the estimate of the great Judge.

We are charged, I am aware, with exaggerating the mischievous effects of the traffic. It is true many of its evils have been dragged to the light which formerly passed unnoticed. But every reflecting mind must know that the half has not been told. Exaggerate! No. When we break the seal of silence in regard to the unrelenting past, the shrieks and groans of a million victims come back, as a wail upon the night winds, to testify that we have not exaggerated. The stifled sobs and tears of the wretched outcasts around us declare that the evil cannot be overrated. And when the echoing trump of the last morning shall sound, and the destinies of the human family shall be finally fixed; when the accumulated storm of retribution begins to sweep and howl over the livid lake—then will intelligent beings, throughout the universe, feel and know, that on yonder earth, the magnitude of the evils entailed by the traffic in strong drink, had never been at all realized, much less exaggerated.

Then it is said: "A large amount of capital is employed in the manufacture and sale of liquor, and a prohibitory law would be an injury to those engaged in the business." That is not by any means a settled point. Such a law might be the means of saving themselves or some members of their families, from the fangs of that destroyer which they have been setting loose upon others; and it would compel them to enter some other field of human enterprise in which they would be happier themselves, and might become useful, respectable members of society. But suppose it would result in a financial loss to distillers and tavern-keepers, they might very properly look on that loss as an instance of retributive justice, for the penury and misery which they

had been spreading over the country. At any rate, the march of improvement cannot be stayed because temporary encroachments are likely to made on some men's private gains. A sectional hue and cry has been raised against every social advance that has been made in the past. Not a canal has ever been dug, nor a railroad built, without interfering with local interests somewhere, or without having it said that somebody was going to be ruined. The introduction of every new piece of machinery has been opposed, sometimes with riotous mobs, on the ground that it would bring financial destruction on some ill-fated class. I can remember when it was said that Liverpool and Bristol would be ruined if the slave-trade were broken up. We all know the outcry that was made at Ephesus, of "injustice and robbery" if silver shrines were no longer needed for the great goddess, Diana. A similar outcry against prohibition will not occasion any very great degree of alarm. Boswell, in his Life of Dr. Johnson, speaking of the *slave-trade*, says,—"The wild and dangerous attempt which has for some time been persisted in, to obtain an Act of our Legislature to abolish *so very important and necessary a branch of commercial interest*, must have been crushed at once had not the insignificance of the zealots who took the lead in it made the vast body of planters, merchants and others reasonably enough suppose that there could be no danger. * * * * To abolish a status which in all ages God has sanctioned and man has confirmed, would be *a robbery to an innumerable class of our fellow-subjects.*" But no one was frightened. The cry of "robbery," "ruin to commercial interests," and "flagrant injustice," passed unheeded. "The wild and dangerous attempt" of "insignificant zealots" to obtain a prohibitory law against slavery succeeded; the country went on prospering more and more, and the names of those "who took the lead" in the movement will be carried down to posterity as the benefactors of their race. Transfer the above quotation from the slave-trade to the *liquor-traffic*, and you have the precise position of those who urge the objection I am considering against a prohibitory law—a position the absurdity of which will be as universally apparent a few years hence as that of poor Boswell is now. Prohibition may involve serious inconvenience to a certain class; but the loss to the grog-seller will be an inestimable gain to the entire community, and "partial evil will be universal good."

I have carefully read the late debates in the Ontario Parliament on this subject, and was forcibly struck with the fact that so few were willing to peril their reputation by saying a good word for the traffic. Another equally impressive fact was, that those who undertook it made out so poorly. I can remember but two points urged on this side, at all worthy of notice. One was in substance—*We ought not to interfere with a man's right to eat and drink what he pleases.* It ought to be distinctly understood that we have no wish to infringe upon any one's liberty as to eating and drinking. Let me try to illustrate this. Suppose an ox or a sheep is dying of disease, and the owner kills it and brings the meat into market. A town officer steps up saying, "the law prohibits the sale of this article." But there happens to be one standing by who is jealous of his own and others' privileges—one who is determined that "Britons never shall be slaves." He turns round and defiantly asks, "do you mean to interfere with the rights of freemen? Cannot any one *eat* unsound meat who pleases?" The officer replies, "certainly he can; *but that is not the question.* This man, by exposing *for sale* what is injurious to health, has rendered the article liable to confiscation and destruction, and himself to a heavy fine. That is the law, and a very good one it is, necessary for the protection of society." So the object of the law we want is not the

regulation of any one's diet, or an infringement of his liberty as to what he shall drink; but the prohibition of an immoral, soul and body-destroying traffic. Strange that men will shut their eyes to a distinction so manifest.

The other point was to the effect that—*If a prohibitory law be passed, we ought to remunerate the liquor-dealers for the loss of their business.* It would be greatly to the advantage of the country to buy out every establishment in the Dominion, destroy the whole stock, and allow no importation, except what shall be placed under the same restrictions as other dangerous articles on the apothecary's shelf, rather than permit matters to go on as they are now. But if we begin the work of compensation, of course those who have profited by the trade must be required to remunerate those who have been ruined by it. Thousands of our population are groaning under injuries and miseries which money cannot repair or alleviate; how are they to be compensated? If the Legislature refuse a prohibitory law, will they agree to indemnify those who will suffer by the present license system in the future? If they do, they will soon have no trouble in distributing a surplus revenue. The idea of remunerating those who have been fattening on the degradation and calamities of others is a gross absurdity and outrage. Let them turn to some useful calling as a means of support, thankful that they get off so easily as to be allowed to do so.

The trade in strong drink is a root from which grows a rank crop of all moral and social evils; it is a tree planted in our midst whose spreading branches drip with poison, and in whose deep shadow death reigns. The only effectual protection we can have against its influence is to cut it down and cast it out. I have no sympathy with those timid warnings against "legislating in advance of public opinion." The idea that we are not to proclaim a truth or enact a law until everybody is prepared for it, and the bulk of men think alike about it, is contrary to the whole philosophy of reform and improvement, as well as to the teachings of history. That the law would be violated is no argument against its enactment. What species of crime can be mentioned which prohibitions and penalties have entirely driven from among men? Not one. The laws against murder, profanity, robbery, outrage, perjury, are disregarded by many. Would that prove the propriety of their being abrogated? If public opinion is wrong, let the laws be made right, thereby hastening the work of leading the popular mind on to the truth.

We may all become educators on this subject. Let the friends of sobriety and good order determine to take a part in the struggle now going on. When thousands upon thousands of the loftiest intellects and the most generous hearts are annually destroyed by rum. When multitudes of broken-hearted wives and worse than orphaned children are imploring us to aid in securing a triumph which will restore to them deluded husbands and fathers. When the drunkard himself is calling upon us, in his misery, to give him that shield which will protect him from the tempter whose syren-voice will otherwise draw him on to destruction. Can we longer be silent and indifferent? Never was there a more favorable time for action than now. We must all become agitators on this subject in our own vicinity; and we must press it upon the attention of our law-makers in such numbers and with such earnestness that they will be compelled to yield. The demon will yet be trampled down—annihilated; and the banners of victory will wave over our gladdened earth. Temperance will yet triumph. Both God and man call upon you to labor for its spread.

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